

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN J. TAURO,)	
)	
Plaintiff,)	
)	Civil Action No. 05-1180
v.)	
)	Judge Flowers Conti
A YET UNNAMED DOMESTIC)	Magistrate Judge Caiazza
RELATIONS WORKER KNOWN)	
AS WORKER ID \$IATT and)	
ACE CASH EXPRESS,)	
)	
Defendants.)	

ORDER

On November 15, 2005, the court entered an Order directing the Plaintiff John J. Tauro to show cause why his claims should not be dismissed for the reasons stated in said Order. *See* Doc. 10.

Mr. Tauro filed a Response to the Order, but he did so in the wrong case. *See* "Response to Court's Order of 15th November," filed as Doc. No. 16 in Tauro v. Pennsylvania Department of Public Welfare, et al., Civ. Action No. 05-480 (W.D. Pa. Nov. 22, 2005). The Plaintiff's Response, which the court has affixed hereto as Attachment #1, is hereby deemed timely filed in this, the above-captioned case.

Mr. Tauro has failed to show cause why his case should not be dismissed for the reasons stated in the court's previous Order. Specifically, his claim(s) against the "yet unnamed domestic relations worker" are barred by the collateral estoppel analysis in Tauro v. Pennsylvania Department of Public Welfare, et al., Mem. & Order in Civ. Action No. 05-480 (W.D. Pa. Nov. 9, 2005) (Conti, J.). As to the Defendant Ace Cash Express, the Plaintiff has failed to

allege and/or explain how this entity acted under the color of state law. *See* Doc. 10 at 1 (citing and quoting Harvey v. Plains Twp. Police Dept., 421 F.3d 185, 189 (3d Cir. 2005)).

For these reasons, along with Mr. Tauro's failure to show cause, the Plaintiff's case is **DISMISSED WITH PREJUDICE**. The Clerk is directed to mark this case closed.

IT IS SO ORDERED on this 30th day of November, 2005.

/s/ Joy Flowers Conti
Joy Flowers Conti
United States District Judge

cc:

Francis X. Caiazza
U.S. Magistrate Judge

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